

FINAL REPORT

LEGISLATIVE COUNCIL

**PUBLIC TRANSPORTATION AND AIR QUALITY
INTERIM COMMITTEE**

Public Transportation and Air Quality Interim Committee

SCR 132 (2004)

Members

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Legislative Council Interim Committee
Public Transportation and Air Quality
2004

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Charge

The Legislative Council's Interim Committee on Public Transportation and Air Quality was authorized by Senate Concurrent Resolution No. 132, 2004, which directed the committee to study public transportation and air quality issues. The committee was further directed to:

- (1) Review the report of the Idaho Task Force on Public Transportation;
- (2) Identify transportation links such as park and ride, rail, transit, commuter services and air services, within the state of Idaho;
- (3) Identify overlapping and duplicative public transportation services;
- (4) Recommend strategies for methods to coordinate public transportation services;
- (5) Recommend strategies for providing private and public funding of public transportation services;
- (6) Recommend strategies for maintaining and enhancing air quality in the regions of the state of Idaho threatened by potential federal Clean Air Act non-attainment designations; and
- (7) Develop any legislation related to these matters as the committee deems appropriate.

Finally, the committee was directed to report its findings, recommendations and any proposed legislation to the First Regular Session of the Fifty-eighth Idaho Legislature.

Meetings

The committee held three meetings in Boise on August 3, September 14, and November 30, 2004. The complete set of minutes is available on the Internet at the Legislature's home page following the pathway "Prior sessions-2004 session-2004 interim committees-Public Transportation and Air Quality."

Testimony Regarding Public Transportation

The committee received information on current activities, previous legislative proposals, studies, findings and new developments in public transportation. Idaho Transportation Department staff described ITD's responsibilities for oversight of Federal Transit Administration (FTA) funds, ITD's work with grantees for compliance and specific uses of public transportation funds, distribution of FTA funds for the previous ten years, results of a survey on public transportation services in the state, and the composition and initiatives of the Interagency Working Group.

General James Brooks, Vice Chairman of the Public Transportation Advisory Council,

provided a historical review of public transportation in Idaho, including recommendations of a 1991 legislative interim committee that resulted in enactment of current law, and several legislative proposals submitted after 1992 to provide funding at the state and local levels and to develop public transportation policy. General Brooks submitted a proposal to create a state transportation policy because, as of today, there is no statutory definition of the state's policy or commitment to public transportation, although the Idaho Transportation Board has adopted its own policy which has served as an internal guide. Unlike highways and aeronautics, the state does not own any public transportation system or operate any public transportation services. It was not until 1994 that formation of regional transportation authorities was authorized. The role of the Idaho Transportation Department in public transportation continues to be a supportive one only, providing coordination, training and technical assistance.

Mr. Roy Eiguren, as counsel for ValleyRide, summarized the findings of the 2003 Idaho Task Force on Public Transportation, a study which was distributed to members of the germane transportation committees in February, 2004. Existing transportation systems in Idaho include fifty-six general transportation providers of which ten are public, thirty-four are private for-profit, and twelve are private non-profit. Funding is a major challenge. Idaho is one of only seven states that does not have state-level funding for public transportation. Of the alternative funding options identified by the task force, a personal property tax on vehicles, using the assessed value, is considered the most viable option in that it raises the largest amount of revenue possible and does not require a constitutional amendment. A second option is to increase the fee on transfers of vehicle titles, while a third option is through a local option tax with the revenues being used to contract for services or to provide the local match for federal funds.

It appears that demand for public transportation services is uniform across the state and is not limited to urban areas. Even though needs vary from area to area, it was emphasized that funding and development should be on a local basis and, in fact, four regions of the state will have completed master planning projects by the end of 2004.

Mary Barker, Executive Director, Community Transportation Association of Idaho, explained that CTAI is an association of organizations and individuals dedicated to promoting safe, accessible and affordable public transportation for people in Idaho. Because public transportation in Idaho is the responsibility of local and regional entities, Ms. Barker summarized the challenges that each regional transportation system faces when responding to local needs. Even though the regional transportation providers in Kootenai County, Moscow, McCall, Ada/Canyon counties, Ketchum/Sun Valley, Twin Falls/Magic Valley, Pocatello and Idaho Falls/Targhee respond in a variety of ways, they all share the same need to find additional sources of funding. Their largest source of funding is from federal grant money, but when money for a local match cannot be obtained, these available federal funds remain unallocated and unused. Another difficulty with utilizing federal money is the requirement, in some instances, that the money be used for capital purchases only. Once vehicles have been purchased, the resource may go out of service for lack of funds to maintain and operate the vehicles.

It is becoming increasingly important to determine where there may be duplication of services to a population as, for example, senior citizens and the disabled who may receive services through

more than one entity. A pilot project sponsored with the Interagency Working Group has shown more efficiency is created and there is better funding if such duplicated or linked services can be consolidated using a single provider.

Elaine Clegg, Co-Executive Director of Idaho Smart Growth, a non-profit organization formed in 1996 to study the consequences of growth in a defined region, provided additional information regarding the effect on ridership when a transportation system is expanded, noting there is a general reluctance to spend more money when it is not certain the investment will be cost effective. Her research indicates that as more money is invested to increase services, more people use the system and ridership numbers increase. As cities or regions generate more trips per capita, they tend to have access to considerably more funds than areas with less ridership. Her findings also show that the quality of life in the Treasure Valley is rated good, but the lack of an adequate public transportation system is clearly a problem.

Testimony Regarding Air Quality

Department of Environmental Quality staff discussed air quality and described the meaning of “non-attainment” wherein the air quality of an area does not meet federal standards for a regulated pollutant, or contributes to the diminished air quality of any nearby area. Dust, wood burning and vehicle combustion are Idaho’s primary pollutant sources, all of which are affected by local geographical features, and levels of air quality also tend to vary with the seasons. Mitigation measures were noted, including vapor recovery, emission testing programs, integration of air quality standards into land use decisions and support of transit development and planning. The mitigation value of bike paths and bus lanes is assumed to exist in helping reduce congestion, but there is no way to measure their contribution.

Mr. Russ Hendricks, Idaho Farm Bureau, suggested that one of the best methods of reducing auto emissions is to use cleaner fuels, a suggestion supported by studies on the feasibility and advantages of blending ethanol in gasoline. Ethanol can be derived from any number of agricultural residues available in Idaho. Blended fuels are renewable, can be produced domestically, do not require any change in consumer habits, and have the added benefit of reducing our dependence on foreign oil. Mr. Ralph Groschen, Minnesota Department of Agriculture, was invited by the Idaho Farm Bureau to describe Minnesota’s successful statewide ethanol program which has resulted in significant economic benefits to Minnesota farmers while improving air quality in the Twin Cities, and has reduced the need for millions of gallons of foreign oil. Minnesota is the only state that has a statutory requirement for use of an ethanol blend, but other states are looking at similar legislation. He speculated that the lack of action might be due to the fact that the petroleum industry may not be anxious for states to incorporate use of ethanol blends.

Committee members acknowledged the fact that revenues from fuel taxes and registration fees continue to decline as vehicles become more efficient and more road miles are traveled. With the advent of alternative fuel vehicles and more vehicles on the road, a policy to accommodate the effects on air quality, corridor preservation, right-of-way acquisition, and sources of additional funding well into the future is indicated. A master plan for long-range planning and an energy policy should also

include alternative energy sources as wind and geothermal, and would build upon or be in addition to the planning structure currently existing within the Idaho Transportation Department and the Local Highway Technical Assistance Council, both of which are funded and provide advice to local governments.

Mr. Rob Sterling, Environmental Manager at Micron, confirmed that vehicles are increasingly a source of pollution problems as there are more vehicle miles being traveled. He warned of the costs to a community if it is designated as a non-attainment area; it is in our best interest to stay out of non-attainment for economic, air quality and health benefit reasons. If a federal designation of non-attainment is declared, local entities lose control of decisions on how to respond; the control is shifted to the federal government. Possible solutions were offered such as emissions trading programs, a proactive approach which has been successful in other parts of the country and have the added benefit of not causing undue expense to businesses. It was noted that industrial emissions are highly regulated and are a diminishing source of significant improvements in air quality, and that there needs to be some mechanism to address air quality on a broader scale, especially in the Treasure Valley airshed.

Mr. Roy Eiguren suggested the committee consider drafting legislation to establish a Treasure Valley Air Quality Council modeled on a previously successful law to improve water quality, the Big Payette Lake Water Quality Act. With vehicle emissions accounting for the greatest part of air pollutants and, with virtually no regulation of those emissions, it was suggested that the missing link is the lack of a central forum where issues can be addressed in a comprehensive and coordinated way. A council could provide a forum for all stakeholders to assemble and discuss meaningful changes to affect air quality. This proposal would allow for creation of a plan to adopt specific recommendations that local and state agencies would implement to improve air quality of the region. There were issues of concern expressed, including membership on the council, keeping the legislature informed of council meetings and other pertinent information as the work of the council progresses, the use of current congestion mitigation funds by other involved entities, and costs of and funding for the council.

Further, it was noted that other areas of the state besides the Treasure Valley have air quality problems. Any legislation should be drafted with a more open framework so that it could be adaptable to any area of the state to which it might apply.

Recommendations for Public Transportation

1. The committee unanimously approved the concept of codifying a statewide public transportation policy, placing responsibility for implementation with the Idaho Transportation Board. The purpose of the policy would be to ensure statewide coordination of services while maintaining control at the local level. A draft proposal RSMLI291 provided a starting point for the concept, but the document itself was not endorsed.
2. The committee unanimously approved a motion to support draft legislation RSMLI290, with specified adjustments, authorizing the Legislative Council to create

an interim committee whose charge would be to develop a master plan for long-range planning of transportation funding and infrastructure needs to accommodate expected growth and transportation needs through the year 2050. Minimal adjustments to the draft proposal would address corridor preservation, right-of-way acquisition, and clarify funding language.

Recommendations for Air Quality Improvements

1. The committee approved a motion to support development of legislation creating a Treasure Valley Air Quality Council, based on previously successful legislation, the Big Payette Lake Water Quality Act. In addition to creating a Treasure Valley council, the committee directed that the concept be expanded to allow for formation of similar councils in other areas of the state where the need exists. The legislation would be a blend of proposals RSMLI292 and Mr. Eiguren's "Discussion Draft 11/29/04" from the November 30, 2004, meeting.
2. The committee endorsed in concept, utilization of 10% blended ethanol gasoline for use in automobiles statewide, and development and use of alternative fuels within the state.